

Attachment 2

FERC Project Number
118800-000 (Colorado)

Final Communications Protocol
For the Proposed
Ritschard Dam Hydroelectric Power Project
June 2, 2003

**Final Communications Protocol
Ritschard Dam Unit Water Power Project
Federal Energy Regulatory Commission Project Number 11880-000
June 2, 2003**

Introduction

The Colorado River Water Conservation District (River District) is a political subdivision of the State of Colorado in Western Colorado. Formed by the State's General Assembly in 1937, the statutory mission of the River District is to protect and develop the water resources of the Colorado River within Colorado. The River District, acting by and through its Colorado River Water Projects Enterprise, has obtained a preliminary permit (Proj. No. 11880-000) and is evaluating the feasibility of a small hydroelectric power project at the existing Ritschard Dam (Wolford Mountain Reservoir) near the Town of Kremmling, Colorado.

To construct and operate the hydroelectric project, the District must obtain a license or license exemption from the Federal Energy Regulatory Commission (FERC).

The FERC regulations allow the project proponent to use either the "traditional" or the "alternative licensing procedure" (ALP) to prepare and submit a license or license exemption application. The River District would like to use the alternative procedure to pursue FERC authorization for the Ritschard Dam project.

To use the alternative procedure, the River District must get approval from FERC. A consensus among stakeholders that the ALP is appropriate for the project is the Commission's primary consideration in granting an approval. This draft communications protocol is the River District's first step in soliciting input from interested stakeholders regarding the alternative licensing procedure.

The communications protocol will provide a guideline for communications and coordination on the proposed project during the licensing/exemption process. The protocol details where project files will be kept, how meetings will be announced, and how written and oral communications among the stakeholders will proceed. The intent of the communications protocol is to ensure that all project information is conveyed to interested entities in a regular and predictable manner.

Communications Procedures

- A. **Public Reference Files.** There will be three public reference files for this project.

Colorado River Water Conservation District
201 Centennial Street, Suite 200
Glenwood Springs, CO 81601

Colorado River Water Conservation District
Wolford Reservoir Project Office
27219 US Highway 40
Kremmling, CO 80459

Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

- B. **Public Meetings.** The following procedures shall be used to notify the public of any public meetings that are held for purposes of scoping the issues to be addressed in the draft environmental assessment for the project or to receive comments and recommendations on terms and conditions to be included in any license or exemption for the project:

- The River District will publish notification of the meeting in the Middle Park Times, the Glenwood Springs Post Independent, and the Denver Post at least two weeks prior to the meeting date,
- The River District will post notification of the meeting on the internet at <http://www.crwcd.org> (under hydropower permitting),
- The River District will serve written or email notification of the meeting to all interested entities who request such notice, and
- The Commission may, at its option, notice the meetings in the Federal Register, at least two weeks prior to the meeting date.

- C. **Notices.** The following procedures will be used to notify the public and all interested entities of the availability of the preliminary draft environmental assessment:

- The River District will publish notification of the document's availability in the Grand County Tribune, the Glenwood Springs Post Independent, and the Denver Post,

- The River District will post notification on the internet at <http://www.crwcd.org> (under hydropower permitting),
 - The River District will serve written or email notification to all interested entities who request such notice, and
 - The Commission will notice the document's availability in the Federal Register.
- D. **Coordination Meetings.** Meetings to coordinate the preparation of the preliminary draft environmental assessment (PDEA) will occur on an "as needed" basis. All persons, agencies and organizations that have indicated a desire to participate in coordinating preparation of the PDEA will be notified of the meeting in writing (by mail, fax or e-mail) at least 14 days prior to the meeting. Minutes of coordination meetings will be taken and placed in the public reference files.
- E. **Teleconference Calls.** Teleconference calls to coordinate the preparation of the preliminary draft environmental assessment will occur on an "as needed" basis. Minutes of teleconference calls will be taken and placed in the public reference files.
- F. **Written Communications.** All written communications that are appropriate for inclusion in the public record shall be placed in the public reference files and posted on the internet (e.g., comment letters, meeting minutes, and progress reports).
- G. **Communications With FERC Staff.** Prior to the River District's submission of a PDEA to the Commission, any participant may communicate with FERC hydroelectric project review staff at any time regarding the proposed project without triggering the Commission's *ex parte* communication rules (18 C.F.R. 385.2201). All written communications with the Commission shall be made part of the public record and maintained in the public reference files described in paragraph A above. The Commission staff may use its discretion to determine whether the substance of any oral communication it has with a participant should be memorialized in a written summary and placed in the public record. After the River District files its PDEA, the Commission's *ex parte* rules will apply if the proceeding becomes a "contested on-the-record proceeding" as defined in 18 C.F.R. 2201(c).
- H. **Six Month Progress Reports.** Following the Commission's authorization to use the ALP process and every six months thereafter, the River District will file a progress report with the Commission pursuant to section 4.34(i)(6)(ii) of the Commission's regulations (18 C.F.R. 4.34(i)(6)(ii)). The report will summarize activities under the process. These reports will also be published "on-line" at the River District's hydropower permitting web page.